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| USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>2/23/2022</u> |
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| -----X | : |
| ERIC JOHNSON, | : |
| | : |
| Plaintiff, | : |
| | : |
| -against- | : |
| | : |
| AMAZING PAINT PARTY LLC, RAY | : |
| TENNYSON, STELLA AND BOBBIE LLC, and | : |
| DOES 1-10, | : |
| | : |
| Defendants. | : |
| -----X | : |

21-CV-3659 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on February 22, 2022 (Dkt. 48), the parties notified the Court that they have reached an agreement in principle resolving all issues as to **Defendants Amazing Paint Party LLC and Ray Tennyson ONLY**; and

IT IS HEREBY ORDERED THAT all previously scheduled conferences and other deadlines are CANCELLED.

IT IS FURTHER ORDERED that this case is DISMISSED with prejudice and without costs (including attorneys' fees) to **Amazing Paint Party LLC and Ray Tennyson ONLY**. The Clerk of Court is respectfully directed to terminate the parties.

Within **30 days** of this order, the parties may apply to reopen this case. Any such application must show good cause for holding the case open in light of the parties' settlement and must be filed within **30 days**. Any request filed after 30 days or without a showing of good cause may be denied solely on that basis.

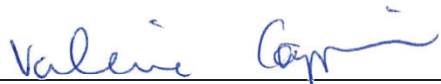
Additionally, if the parties wish for the Court to retain jurisdiction to enforce their settlement agreement, they must submit **within the same 30-day period**: (1) their settlement agreement to the Court in accordance with Rule 7.A of the Court's Individual Practices and (2) a

request that the Court issue an order expressly retaining jurisdiction to enforce the settlement agreement. *See Hendrickson v. United States*, 791 F.3d 354 (2d Cir. 2015).

IT IS FURTHER ORDERED that Plaintiff must apply for a default judgment against **Defendant Stella And Bobbie LLC**, consistent with the procedures described in Attachment A to the undersigned's Individual Practices by **March 4, 2022**, or the case will be dismissed as to this Defendant for failure to prosecute.

SO ORDERED.

Date: February 23, 2022
New York, NY



VALERIE CAPRONI
United States District Judge